

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FAYETTEVILLE DIVISION

DAVID LEE DANIELS

PLAINTIFF

v.

No. 06-5072

SHERIFF KEITH FERGUSON,  
et al.

DEFENDANTS

**ORDER**

Now on this 6<sup>th</sup> day of September, 2007, comes on for consideration the Report and Recommendation filed herein on August 17, 2007, by the Honorable James R. Marschewski, United States Magistrate Judge for the Western District of Arkansas. (Doc. 39.) Plaintiff has not filed any objections to the Report and Recommendation.

The Court has reviewed this case and, being well and sufficiently advised, finds as follows: The Report and Recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, the defendants' **Motion for Summary Judgment (Doc. 24)** is **GRANTED** and this case is **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

/S/JIMM LARRY HENDREN  
JIMM LARRY HENDREN  
UNITED STATES DISTRICT JUDGE